

2011 DRAFTING REQUEST

Bill

Received: **02/07/2011**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Administration-Budget 6-2081**

By/Representing: **Steinmetz**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - counties**

Addl. Drafters:

Extra Copies: **PJH, EVM**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Steinmetz, BB0321 -

Topic:

Allow counties to create, and assess fees for, court self-help centers

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|------------------------|------------------------|----------------|-----------------------|-----------------|-----------------|
| /? | phurley 02/07/2011 | | | _____ _____ | | | S&L |
| /P1 | mshovers 02/08/2011 | kfollett 02/09/2011 | jfrantze 02/09/2011 | _____ _____ | lparisi 02/09/2011 | | |

FE Sent For:

<END>

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See attached

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|--------------|-----------------------------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/? | phurley 02/07/2011 mshovers | 1P11/5f 2/9 | 76 | 2/9 | | | |
| | | | | | | | |
| | | | | | | | |

1/1 MES 2/8/11

FE Sent For:

<END>

Shovers, Marc

From: Steinmetz, Jana D - DOA [Jana.Steinmetz@Wisconsin.gov]
Sent: Monday, February 07, 2011 7:38 PM
To: Shovers, Marc
Subject: FW: Statutory Language Drafting Request

Mark,

Here is a link to Milwaukee County's website:
<http://county.milwaukee.gov/CourtServices7714/SelfHelpClinic.htm>

It might give a little better explanation of how these Self Help Centers operate.

Thanks,
Jana

From: Steinmetz, Jana D - DOA
Sent: Monday, February 07, 2011 4:45 PM
To: Shovers, Marc - LEGIS
Subject: RE: Statutory Language Drafting Request

They are not allowed to provide advice. They are more a way to help people find information and know where to go. The courts seem see it as a way to help cases move through the courts more efficiently; and help people who cannot afford or do not want to hire an attorney still have access to the system. The intent is to allow counties that provide the services to charge a resource fee for access to help off-set the financial expenses associated with operating self-help operations.

The state courts' website has information that would be essentially what would be provided at the local level.
<http://www.wicourts.gov/services/public/selfhelp/>

From: Shovers, Marc [mailto:Marc.Shovers@legis.wisconsin.gov]
Sent: Monday, February 07, 2011 4:39 PM
To: Steinmetz, Jana D - DOA
Subject: RE: Statutory Language Drafting Request

OK. But what do the the self help centers help pro se litigants accomplish? Do the clerks or volunteers tell the litigants how to file a small claims action? How to file an appeal? Do they provide legal advice or help them fill out forms? Do they only help with civil matters, or criminal matter also? I'm just looking for more information so I can describe accurately for what counties will be able to charge a fee. Thanks.

From: Steinmetz, Jana D - DOA [mailto:Jana.Steinmetz@Wisconsin.gov]
Sent: Monday, February 07, 2011 4:16 PM
To: Shovers, Marc
Subject: RE: Statutory Language Drafting Request

I do not know of any specific authority allowing them. Many counties operate similar programs to assist

2/8/2011

pro se litigants. Some are operated by the clerk of courts office, others by volunteers.

From: Shovers, Marc [mailto:Marc.Shovers@legis.wisconsin.gov]

Sent: Monday, February 07, 2011 3:57 PM

To: Steinmetz, Jana D - DOA

Subject: RE: Statutory Language Drafting Request

Hi Jana:

I have a question about another request -- BB0321. What exactly are these "court self help" centers? Do you know under what authority counties operate them? Thanks.

Marc

Marc E. Shovers

Managing Attorney

Legislative Reference Bureau

Phone: (608-266-0129)

E-Mail: marc.shovers@legis.wisconsin.gov

From: DOADLBASADMININTERNETSHAREPOINT@WI.GOV

[mailto:DOADLBASADMININTERNETSHAREPOINT@WI.GOV]

Sent: Saturday, February 05, 2011 10:27 AM

To: Hanaman, Cathlene

Cc: Hetzel, Shayna - DOA; Thornton, Scott - DOA; Steinmetz, Jana D - DOA; Steinmetz, Jana D - DOA

Subject: Statutory Language Drafting Request

Topic: Court Self Help Centers

Tracking Code: BB0321

SBO Team: AEJ

SBO Analyst: Steinmetz, Jana D - DOA

Phone: (608) 266-2081

E-mail: Jana.Steinmetz@Wisconsin.gov

Agency Acronym: SupCt

Agency Number: 680

Priority: Low

Intent:

Please draft language to allow counties that operate self help centers to charge a fee for access to offset

2/8/2011

the financial expenses associated with providing the service.

Attachments: False

From: Steinmetz, Jana D - DOA [mailto:Jana.Steinmetz@Wisconsin.gov]
Sent: Monday, February 07, 2011 3:54 PM
To: Mueller, Eric
Cc: Hanaman, Cathlene; Shovers, Marc; Hurley, Peggy
Subject: RE: Statutory Language Drafting Request

I remain optimistic that the existing language will suffice. I will check into it and get back to you.

From: Mueller, Eric [mailto:Eric.Mueller@legis.wisconsin.gov]
Sent: Monday, February 07, 2011 3:09 PM
To: Steinmetz, Jana D - DOA
Cc: Hanaman, Cathlene - LEGIS; Shovers, Marc - LEGIS; Hurley, Peggy - LEGIS
Subject: RE: Statutory Language Drafting Request

Jana,

Is this already permitted by s. 302.44 or 66.0301?

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov

From: Hanaman, Cathlene
Sent: Saturday, February 05, 2011 12:06 PM
To: Shovers, Marc; Mueller, Eric
Subject: FW: Statutory Language Drafting Request

Is this local gov?

From: DOADLBASADMININTERNETSHAREPOINT@WI.GOV
[mailto:DOADLBASADMININTERNETSHAREPOINT@WI.GOV]
Sent: Saturday, February 05, 2011 10:42 AM
To: Hanaman, Cathlene
Cc: Hetzel, Shayna - DOA; Thornton, Scott - DOA; Steinmetz, Jana D - DOA; Steinmetz, Jana D - DOA
Subject: Statutory Language Drafting Request

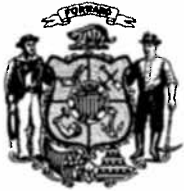
Topic: Multi-County Correctional Facilities

Tracking Code: BB0322

SBO Team: AEJ

SBO Analyst: Steinmetz, Jana D - DOA
Phone: (608) 266-2081
E-mail: Jana.Steinmetz@Wisconsin.gov

2/8/2011



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-13237
MES...

1
RMR

DOA:.....Steinmetz, BB0321 - Allow counties to create, and assess fees for,
court self-help centers

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

NOTE

do not go

1

AN ACT ...; relating to: authorizing a county to operate a courthouse self-help
center and to impose and collect a fee for providing such services.

2

Analysis by the Legislative Reference Bureau

LOCAL GOVERNMENT

This bill authorizes a county board to direct its clerk of courts to operate a self-help center in the county courthouse to provide individuals with information regarding the court system. The information provided may include guidance on small claims and family law proceedings, where to obtain legal advice and forms, and how to represent oneself in court. A self-help center may be staffed by county employees or volunteers, although no staff member may provide legal advice to self-help center patrons. The bill also authorizes a county to impose a fee on individuals who use the services provided by a self-help center.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3

SECTION 1. 59.40 (6) of the statutes is created to read:

✓
1 59.40 (6) SELF-HELP CENTERS. (a) A board may direct its clerk of courts to
2 operate a self-help center in the county courthouse to provide individuals with
3 information regarding the court system, including all of the following:

4 1. How to represent oneself in circuit court. ✓
5 2. How to obtain legal assistance or legal information. ✓
6 3. Information regarding legal proceedings such as small claims actions, family
7 law, and foreclosure.

8 4. How to file an appeal.
9 5. Information about people and offices in the courthouse.
10 6. Where to obtain, and how to fill out, legal forms.
11 7. Answers to frequently asked questions concerning the legal system.

12 (b) The clerk of courts may staff a self-help center with county employees or ✓
13 volunteers, although no one who works or volunteers at a self-help center may
14 provide legal advice to a patron of the self-help center. ✓

15 (c) The board may impose on, and collect a fee from, individuals who use the
16 services of a self-help center. ✓

described under par. (a)

(END)

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1323/?dn

MES..kjf

Date

Jana Steinmetz:

Please review the draft carefully to ensure that it meets your intent. The bill authorizes the board to impose fees only if the clerk of courts operates the center. Is this OK?

Marc E. Shovers
Managing Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1323/P1dn
MES:kjf:jf

February 9, 2011

Jana Steinmetz:

Please review the draft carefully to ensure that it meets your intent. The bill authorizes the board to impose fees only if the clerk of courts operates the center. Is this OK?

Marc E. Shovers
Managing Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1323/P1

MES:kjf:jf

DOA:.....Steinmetz, BB0321 - Allow counties to create, and assess fees for,
court self-help centers

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

- 1 **AN ACT ...; relating to:** authorizing a county to operate a courthouse self-help
2 center and to impose and collect a fee for providing such services.

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LOCAL GOVERNMENT

This bill authorizes a county board to direct its clerk of courts to operate a self-help center in the county courthouse to provide individuals with information regarding the court system. The information provided may include guidance on small claims and family law proceedings, where to obtain legal advice and forms, and how to represent oneself in court. A self-help center may be staffed by county employees or volunteers, although no staff member may provide legal advice to self-help center patrons. The bill also authorizes a county to impose a fee on individuals who use the services provided by a self-help center.

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1. How to represent oneself in circuit court.

2. How to obtain legal assistance or legal information.

3. Information regarding legal proceedings such as small claims actions, family law, and foreclosure.

4. How to file an appeal.

5. Information about people and offices in the courthouse.

6. Where to obtain, and how to fill out, legal forms.

7. Answers to frequently asked questions concerning the legal system.

(b) The clerk of courts may staff a self-help center with county employees or volunteers, although no one who works or volunteers at a self-help center may provide legal advice to a patron of the self-help center.

(c) The board may impose on, and collect a fee from, individuals who use the services of a self-help center described under par. (a).

(END)